ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೭	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಫೆಬ್ರವರಿ ೨, ೨೦೧೨, (ಮಾಘ ೧೩, ಶಕ ವರ್ಷ ೧೯೩೩)	ಸಂಚಿಕೆ ೫

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 32 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಡಿಸೆಂಬರ್, 2011

2011ನೇ ಸಾಲಿನ ಸೆಪ್ಟಂಬರ್ 23ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Orissa (Alteration of Name) Act, 2011 (No.15 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 23rd September, 2011

The following Act of Parliament received the assent of the President on the 23rd September, 2011, and is hereby published for general information.

THE ORISSA (ALTERATION OF NAME) ACT, 2011

No. 15 of 2011

[23rd September, 2011.]

An Act to alter the name of the State of Orissa.

Be it enacted by **Parliament** in the Sixty-second Year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Orissa (Alteration of Name) Act, 2011.

(2) It shall come into force on such date as the Central Government may, by Notification in the Official Gazette, appoint.

2. Definitions.- In this Act, unless the context otherwise requires,-

(a) "appointed day" means the date appointed under sub-section (2) of section 1 for the coming into force of this Act;

(b) "appropriate Government" means, as respects a law relating to a matter enumerated in List 1 in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government;

(c) "law" includes any enactment, Ordinanace, regulation, order, bye-law, rule, scheme, Notification or other instrument having the force of law in the whole or any part of the State of Orissa.

3. Alteration of name of State of Orissa.- As from the appointed day, the State of Orissa shall be known as the State of Odisha.

4. Amendment of article 164.- In article 164 of the Constitution, in Clause (1), in the proviso, for the word "Orissa", the word "Odisha" shall be substituted.

5. Amendment of article 273.- In article 273, in Clause (1), for the word "Orissa", the word "Odisha" shall be substituted.

6. Amendment of First Schedule to the Constitution.- In the First Schedule to the Constitution, under the heading "I. THE STATES", in entry 10, under the column "Name", for the word "Orissa", the word "Odisha" shall be substituted.

7. Amendment of Fourth Schedule to the Constitution.- In the Fourth Schedule to the Constitution, under the heading"TABLE", in entry 14, in the second column, for the word "Orissa", the word "Odisha" shall be substituted.

8. Power to adapt laws.- (1) For the purpose of giving effect to the alteration of the name of the State of Orissa by section3, the appropriate Government may, before the expiration of one year from the appointed day, by order, make such adaptations and modifications of any law made before the appointed day, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made.

(2) Nothing in sub-section(1) shall be deemed to prevent a competent Legislature or other competent authority from repealing or amending any law adapted or modified by the appropriate Government under the said sub-section.

9. Power to construe laws.- Notwithstanding that no provision or insufficient provision has been made under section 8 for the adaptation of a law made before the appointed day, any Court, tribunal or authority, required or empowered to enforce such law, may construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

10. Legal Proceedings.- Where immediately before the appointed day any legal proceedings are pending to which the State of Orissa is a party, the State of Odisha shall be deemed to have been substituted for the State of Orissa in those proceedings.

V.K. BHASIN,
Secy. to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -40

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 36 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಡಿಸೆಂಬರ್, 2011

2011ನೇ ಸಾಲಿನ ಅಕ್ಟೋಬರ್ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The State Bank of India (Subsidiary Banks Laws) Amendment Act, 2011 (No.17 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 13th October, 2011

The following Act of Parliament received the assent of the President on the 12th October, 2011, and is hereby published for general information:-

THE STATE BANK OF INDIA (SUBSIDIARY BANKS LAWS) AMENDMENT ACT, 2011

No. 17 of 2011

[12th October, 2011.]

An Act further to amend the State Bank of Hyderabad Act, 1956 and the State Bank of India (Subsidiary Banks) Act, 1959

Be it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. Short title and commencement.- (1) This Act may be called the State Bank of India (Subsidiary Banks Laws) Amendment Act, 2011.

(2) It shall come into force on such date as the Central Government may, by Notification in the Official Gazette, appoint.

CHAPTER II

AMENDMENTS TO THE STATE BANK OF HYDERABAD ACT, 1956

2. Amendment of section 9.- In sub-section (4) of section 9 of the State Bank of Hyderabad Act, 1956 (79 of 1956) (hereafter in this Chapter referred to as the State Bank of Hyderabad Act), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted.

3. Amendment of section 10.- In section 10 of the State Bank of Hyderabad Act,-

(a) in sub-section (1A), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted;

(b) in sub-section (3),-

(i) for the words "with the approval of the State Bank and the Reserve Bank", the words "with the approval of the State Bank and the Central Government in consultation with the Reserve Bank" shall be substituted;

(ii) for the words "public issue", the words "public issue or rights issue" shall be substituted;

(c) in sub-section (3B),-

(i) for the words "with the approval of the State Bank and the Reserve Bank", the words "with the approval of the State Bank and the Central Government in consultation with the Reserve Bank" shall be substituted;

(ii) for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted.

CHAPTER III

AMENDMENTS TO THE STATE BANK OF INDIA (SUBSIDIARY BANKS) ACT, 1959

3. Amendment of section 10.- In section 10 of the State Bank of Hyderabad Act,-

(a) in sub-section (1A), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted;

(b) in sub-section (3),-

4. Amendment of section 6.- In sub-section (4) of section 6 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959) (hereinafter referred to as the principal Act), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted.

5. Amendment of section 7.- In section 7 of the principal Act,-

(a) in sub-section (1A), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted;

(b) in sub-section (4),-

(i) for the words "with the approval of the State Bank and the Reserve Bank", the words "with the approval of the State Bank and the Central Government in consultation with the Reserve Bank" shall be substituted;

(ii) for the words "public issue", the words "public issue or rights issue" shall be substituted;

(c) in sub-section (6),-

(i) for the words "with the approval of the State Bank and the Reserve Bank", the words "with the approval of the State Bank and the Central Government in consultation with the Reserve Bank" shall be substituted;

(ii) for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted.

6. Amendment of section 25.- In section 25 of the principal Act,-

(a) in sub-section (1),

(i) in clause (a), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted;

(ii) in clause (b), for the words "to be nominated by the Reserve Bank", the words "to be nominated by the Central Government on the recommendation of the Reserve Bank" shall be substituted;

(b) in sub-section (6), for the words "in consultation with the Reserve Bank", the words "in consultation with the Central Government" shall be substituted.

7. Amendment of section 29.- In section 29 of the principal Act,-

(a) in sub-section (1), for the words "and with the approval of the Reserve Bank", the words "and the Reserve Bank, and with the approval of the Central Government" shall be substituted;

(b) in sub-section (3),-

(i) in the proviso to clause (a), for the words "with the approval of the State Bank and the Reserve Bank", the words "with the approval of the State Bank and the Central Government in consultation with the Reserve Bank" shall be substituted;

(ii) in clauses (b) and (c), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall respectively be substituted;

(c) in sub-section (5), for the words "with the approval ofthe Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted.

8. Amendment of section 31.- In section 31 of the principal Act,-

(a) in sub-section (1), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted;

(b) in clause (a) of sub-section (3), for the words "with the approval of the Reserve Bank", the words "in consultation with the Reserve Bank and with the approval of the Central Government" shall be substituted.

9. Amendment of section 35 A.- In section 35A of the principal Act,-

(a) in sub-section (1),-

(i) for the words "Where the Reserve Bank, on the recommendation of the State Bank", the words "Where the Central Government, on the recommendation of the Reserve Bank and in consultation with the State Bank" shall be substituted;

(ii) for the words "the Reserve Bank may", the words "the Central Government may" shall be substituted;

(b) in sub-sections (2) and (5), for the words "The Reserve Bank may", the words "The Central Government in consultation with the Reserve Bank may" shall respectively be substituted;

(c) in sub-section (3), clause (b) of sub-section (4) and sub-sections (6) and (7), for the words "the Reserve Bank", wherever they occur, the words "the Central Government" shall respectively be substituted.

10. Substitution of new section for section 63.- For section 63 of the principal Act, the following section shall be substituted, namely:-

"63. Power of subsidiary Banks to make regulations.- (1) The Board of Directors of a subsidiary Bank may, after consultation with the State Bank and the Reserve Bank and with the previous approval of the Central Government, by Notification in the Official Gazette, make regulations not inconsistent with this Act and the rules made thereunder, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Act or any other law for the time being in force.

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for-

(a) the powers and duties of the managing director of the subsidiary Bank;

(b) the fees and allowances which may be paid to directors or others for attending any meetings of the Board of Directors or of its committees (including the executive committee) or other committees or for attending to any other work of the subsidiary Bank;

(c) the time and place at which, and the mannerin which the business of the Board of Directors of the subsidiary bank shall be transacted and the procedure to be followed at the meetings thereof;

(d) the constitution of the executive committee of the subsidiary bank and the conditions and limitations subject to which the executive committee may exercise its powers,and the procedure to be followed at the meetings thereof;

(e) the formation of any other committees, whether of the Board of Directors of the subsidiary Bank or otherwise, and the delegation of powers and functions of the Board to such committees and the conduct of business in such committees;

(f) the nature of shares of the subsidiary Bank, the manner in which, and the conditions subject to which, shares may be held and transferred and generally all matters relating to the rights and duties of shareholders;

(g) the procedure for issuing the certificates of shares;

h) the procedure with respect to increase, whether by' public issue or rights issue or by preferential allotment or private placement, the issued capital by issue of equity or preference shares;

(i) the manner of acceptance of share money in instalments, the manner of making calls and the manner of forfeiture of unpaid shares and their re-issue;

(j) the maintenance of share registers, and the particulars to be entered in such registers in addition to those specified in sub-section (1) of section 21, the safeguards to be observed in the maintenance of the register of shareholders on computer floppies or diskettes or any other electronic form, the inspection and closure of the registers and all other matters connected therwith;

(k) the manner in which every individual registered shareholder nominate, an individual to whom all his rights in the shares shall vest in the event of his death under sub-section (1) of section 18A;

(l) the manner in which, the joint holders may nominate an individual to whom all their rights in the shares shall vest in the event of the death of all the joint holders under sub-section (2) of section 18A;

(m) the manner in which nomination is varied or cancelled under sub-section (3) of section 18A;

(n) the manner in which every individual registered as the holder of the shares to make nomination where nominee is a minor to appoint, any person to become entitled to the shares in the event of his death during the minority of the nominee under sub-section (4) of section 18A;

(o) the holding and conduct of elections under this Act and the final determination of doubts or disputes regarding the qualifications of candidates for election or regarding the validity of elections;

(p) the manner in which general meeting shall be convened, the procedure to be followed there at and the manner in which voting rights may be exercised;

(q) the manner in which notices may be served on behalf of the subsidiary Bank upon shareholders or other persons;

(r) the payment of dividends including interim dividends;

(s) the delegation of powers and functions of the Board of Directors of the subsidiary Bank to the managing director or directors or officers or other employees of that Bank;

(t) the conditions and limitations subject to which the subsidiary Bank may appoint officers, advisers and other employees and fix their remuneration and other terms and conditions of service;

(u) the duties and conduct of officers, advisers and other employees of the subsidiary Bank;

(v) the establishment and maintenance of superannuation, pension, provident or other funds for the benefit of the officers or employees of the subsidiary bank or of the dependants of such officers or employees or for the purposes of the subsidiary Bank, and the granting of superannuation allowances, annuities and pensions payable out of any such fund;

(w) the conduct and defence of legal proceedings by or against the subsidiary Bank and the manner of signing pleadings;

(x) the provision of a seal for the subsidiary bank and the manner and effect of its use;

(y) the form and manner in which contracts binding on the subsidiary bank may be executed;

(z) the conditions and requirements subject to which loans or advances may be made or bills may be discounted or purchased by the subsidiary Bank;

(za) the conditions subject to which loans or advances may be made by the subsidiary Bank to its directors or officers or the relatives of such directors or officers or to companies, firms or individuals with which or with whom such directors or officers or relatives are connected as partners, directors, managers, servants, share holders or otherwise;

(zb) the persons or authorities who shall administer any pension, provident or other fund constituted for the benefit of the officers or employees of the subsidiary Bank or their dependants or for the purposes of that Bank;

(zc) the circumstances in which the specific approval of the State Bank shall be required to the grant of loans and advances or investment of funds by the Subsidiary bank or to any contract, arrangement or proposal entered into or proposed to be entered into by the subsidiary bank;

(zd) the preparation and submission to the State Bank and the Reserve Bank of statements of programmes of activities and financial statements of the subsidiary bank and the periods tor which, and the time within which such statements and estimates are to be prepared and submitted;

(ze) generally, for the efficient conduct of the affairs of the subsidiary bank.

(3) All regulations made under this section shall have effect from such earlier or later date as may be specified in the regulations.

(4) Every regulation shall, as soon as may be after it is made under this section by the Board of Directors of a subsidiary bank, be forwarded to the Central Government and that Government shall cause a copy of the same to be laid before each House of Parliament, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation."

V.K. BHASIN,
Secy. to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 35 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಡಿಸೆಂಬರ್, 2011

2011ನೇ ಸಾಲಿನ ಅಕ್ಟೋಬರ್ 13ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The National Council for Teacher Education (Amendment) Act, 2011 (No.18 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 13th October, 2011

The following Act of Parliament received the assent of the President on the 12th October, 2011, and is hereby published for general information:-

THE NATIONAL COUNCIL FOR TEACHER EDUCATION (AMENDMENT) ACT, 2011

No. 18 of 2011

[12th October, 2011.]

An Act to amend the National Council for Teacher Education Act, 1993.

Be it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the National Council for Teacher Education (Amendment) Act, 2011.

(2) It shall come into force on such date as the Central Government may, be notification in the Official Gazette, appoint.

2. Amendment of Long Title.- In the National Council for Teacher Education Act, 1993 (73 of 1993) (hereinafter referred to as the principal Act), in the long title, after the words "in the teacher education system", the words "including qualifications of school teachers" shall be inserted.

3. Amendment of section 1.- In section 1 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:-

"(4) Save as otherwise provided in this Act, the provisions of this Act shall apply to-

(a) institutions;

(b) students and teachers of the institutions;

(c) schools imparting pre-primary, primary, upper primary, secondary or senior secondary education and colleges providing senior secondary or intermediate education irrespective of the fact, by whatever names they may be called; and

(d) teachers for schools and colleges referred to in clause (c)".

4. Amendment of section 2.- In section 2 of the principal Act,-

(i) after clause (e), the following clause shall be inserted, namely:-

'(ea) "local authority" means a Municipal Corporation, Municipal Committee, Municipal Council, Zila Parishad, District Board or Nagar Panchayat or Panchayat, or other authority (by whatever name called), legally entitled to, or entrusted by the Government with the control or management of a municipal or local fund;';

(ii) after clause (k), the following clause shall be inserted, namely:-

'(ka) "school" means any recognised school imparting pre-primary, primary, upper primary, secondary or senior secondary education, or a college imparting' senior secondary education, and includes-

(i) a school established, owned and controlled by the Central Government, or the State Government or a local authority;

(ii) a school receiving aid or grants to meet whole or part of its expenses from the Central Government, the State Government or a local authority;

(iii) a school not receiving any aid or grants to meet whole or part of its expenses from the Central Government, the State Government or a local authority;'.

5. Amendment of section 12.- In section 12 of the principal Act, in clause (d), the words "in schools or" shall be omitted.

6. Insertion of new section 12A.- After section 12 of the principal Act, the following section shall be inserted, namely:-

"**12A. Power of Council to determine minimum standards of education of school teachers.-** For the purpose of maintaining standards of education in schools, the Council may, by regulations, determine the qualifications of persons for being recruited as teachers in any pre-primary, primary, upper primary, secondary, senior secondary or intermediate school or college, by whatever name called, established, run, aided or recognised by the Central Government or a State Government or a local or other authority:

Provided that nothing in this section shall adversely affect the continuance of any person recruited in any pre-primary, primary, upper primary, secondary, senior secondary or intermediate schools or colleges, under any rule, regulation or order made by the Central Government, a State Government, a local or other authority, immediately before the commencement of the National Council for Teacher Education (Amendment) Act, 2011 solely on the ground of non-fulfilment of such qualifications as may be specified by the Council:

Provided further that the minimum qualifications of a teacher referred to in the first proviso shall be acquired within the period specified in this Act or under the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009).".

7. Amendment of section 32.- In section 32 of the principal Act, in sub-section (2), after clause (d), the following clause shall be inserted, namely:- of section 32.

"(dd) the qualifications of teachers under section 12A;".

CORRIGENDUM

In the Juvenile Justice (Care and Protection of Children) Amendment Act, 2011 (12 of 2011), published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 8th September, 2011 (Issue No. 17), in the long title, for "to further to", read "further to".

V.K. BHASIN,
Secy. to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -42

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 15 ಕೇನಿಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಡಿಸೆಂಬರ್, 2011

2011ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 1ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷೆನ್ 3(i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ GSR 655(E) (Notification No.F.No.V.I/401/39/99) ದಿನಾಂಕ:01.09.2011 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF EXTERNAL AFFAIRS

NOTIFICATION

New Delhi, the 1st September, 2011

G.S.R. 655(E).- In exercise of the powers conferred by clause (a) of Section 22 of the Passports Act, 1967 (15 of 1967) and in supersession of the notification of the Government of India, in the Ministry of External Affairs, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 472(E), dated the 22nd May, 2000, the Central Government, being of the opinion that it is necessary and expedient in the public interest so to do, hereby exempts the following persons from the operation of the provisions of Section 5 of the said Act, read with rule 8 of the Passports Rules, 1980, in so far as such provisions

relate to the payment of fees for issue or reissue of an ordinary thirty-six pages passport to be valid for ten years or five years, as the case may be, and for rendering of miscellaneous services on such a passport, namely:-

(i) regular employees of the Central Passport Organisation and their spouses and children up to the age of fifteen years;

(ii) retired employees of the Central Passport Organisation and their spouses; and

(iii) employees who come on deputation to the Central Passort Organisation and their spouses and children upto the age of fifteen years, during their deputation to the Central Passport Organisation:

Provided that such exemption of fees for issue or reissue of a passport and for rendering of any miscellaneous services on such a passport is not allowed to the person, who is-

(i) Undergoing departmental proceedings for dereliction of duty or misconduct; or

(ii) Compulsorily retired from the services or terminated from the services; or

(iii) awarded any major penalty during Departmental Inquiry proceedings; or

(iv) facing criminal proceedings on the allegations of corruption, criminal misconduct, misappropriation of public funds; or

(v) convicted of any offence by any court in India.

[F.No.V.I/401/39/99]

MUKTESH K. PARDESHI, Jt. Secy, and Chief Passport Officer

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ರಿಚಾರ್ಡ್ ಲೋಬೊ,

ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-43

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 18 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಡಿಸೆಂಬರ್, 2011

2011ನೇ ಸಾಲಿನ ಸೆಪ್ಟೆಂಬರ್ 15ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 3(i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ GSR 681(E) (Notification No.F.No. 2/5/2006-NS-II) ದಿನಾಂಕ:15.09.2011 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF FINANCE

(Department of Economic Affairs)

NOTIFICATION

New Delhi, the 15th September, 2011

G.S.R. 681(E).- In exercise of the powers conferred by Section 15 of Government Savings Banks Act, 1873 (5 of 1873), the Central Government hereby makes the following rules further to amend the Post Office Savings Account Rules, 1981, namely:-

1. (1) These rules may be called the Post Office Savings Account (Amendment) Rules, 2011.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Post Office Savings Account Rules, 1981, in rule 4, in the Table, under column 3 relating to maximum balance including interest for the current year,

(1) against serial number 1 relating to Single Account, for the entries, the entry "Without limit"; shall be substituted;

(2) against serial number 2 relating to Joint Account, for the entries, the entry "Without limit" shall be substituted;

(3) against serial number 3 relating to Pension Account, for the entry, the entry "Without limit" shall be substituted.

[F. No. 2/5/2006-NS-II]

M.A. KHAN, Under Secy.

Note:- The principal rules were published vide G.S.R. 663(E), dated the 17th December, 1981 and subsequently amended vide G.S.R. 8(E), dated the 2nd January, 1987, G.S.R. 948(E), dated the 2nd December, 1987, G.S.R. 5(E), dated the 5th January, 1989, G.S.R. 430(E), dated the 6th April, 1989, G.S.R. 695(E), dated the 17th July, 1989, G.S.R. 813(E), dated the 4th September, 1989, G.S.R. 1001(E), dated the 8th November, 1989, G.S.R. 499(E), dated the 8th July, 1993, G.S.R.165(E),

dated the 28th February, 2000, G.S.R. 349(E), dated the 10th May, 2002, G.S.R. 431(E), dated 14th June, 2002. G.S.R. 587(E), dated the 25th July, 2003, G.S.R. 286(E), dated the 13th May, 2005 and G.S.R. 509(E); dated the 27th July, 2005, G.S.R. 481(E), dated the 11th July, 2007, G.S.R. 478(E), dated the 26th June, 2008, G.S.R. 882(E), dated the 3rd November, 2010.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -44

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 33 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಡಿಸೆಂಬರ್, 2011

2011ನೇ ಸಾಲಿನ ಸೆಪ್ಟಂಬರ್ 23ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Constitution (Ninety-Sixth Amendment) Act, 2011 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 23rd September, 2011/Asvina 1,1933 (Saka)

The following Act of Parliament received the assent of the President on the 23rd September, 2011, and is hereby published for general information:-

THE CONSTITUTION (NINETY-SIXTH AMENDMENT) ACT, 2011

[23rd September, 2011.]

An Act further to amend the Constitution of India.

Be it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-

1. **Short title.-** This Act may be called the Constitution (Ninety-sixth Amendment) Act, 2011.

2. **Amendment of Eighth Schedule.-** In the Eighth Schedule to the Constitution, in entry 15, for the word "Oriya", the word "Odia" shall be substituted.

V.K. BHASIN,
Secy. to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR -45

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 34 ಕೇಶಾಪ್ರ 2011, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 21ನೇ ಡಿಸೆಂಬರ್, 2011

2011ನೇ ಸಾಲಿನ ಸೆಪ್ಟಂಬರ್ 28ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ-II ಸೆಕ್ಷನ್ 1ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Transplantation of Human Organs (Amendment) Act, 2011 (No.16 of 2011) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 28th September, 2011/Asvina 1,1933 (Saka)

The following Act of Parliament received the assent of the President on the 27th September, 2011, and is hereby published for general information:-

THE TRANSPLANTATION OF HUMAN ORGANS (AMENDMENT) ACT, 2011

No. 16 of 2011

[27th September, 2011.]

An Act to amend the Transplantation of Human Organs Act, 1994

WHEREAS it is expedient to amend the said law enacted by Parliament relating to regulation of removal, storage and transplantation of human organs for therapeutic purposes and for prevention of commercial dealings in human organs;

AND WHEREAS Parliament has no power to make or amend laws for the States with respect to any of the matters aforesaid except as provided in articles 249 and 250 of the Constitution;

AND WHEREAS in pursuance of clause (1) of article 252 of the Constitution, resolutions have been passed by all the Houses of the Legislatures of the States of Goa, Himachal Pradesh and West Bengal to the effect that the aforesaid Act should be amended by Parliament;

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:-

1. Short title, application and commencement.- (1) This Act may be called the Transplantation of Human Organs (Amendment) Act, 2011.

(2) It applies, in the first instance, to the whole of the States of Goa, Himachal Pradesh and West Bengal and to all the Union territories and it shall also apply to such other State which adopts this Act by resolution passed in that behalf under clause (I) of article 252 of the Constitution.

(3) It shall come into force in the States of Goa, Himachal Pradesh and West Bengal and in all the Union territories on such date as the Central Government may, by notification, appoint and in any other State which adopts this Act under clause (1) of article 252 of the Constitution on the date of such adoption; and any reference in this Act to the commencement of this Act shall, in relation to any State or Union territory, means the date on which this Act comes into force in such State or Union territory.

2. Amendment of long title.- In the Transplantation of Human Organs Act, 1994 (hereinafter referred to as the principal Act) (42 of 1994), in the long title, for the words "human organs for therapeutic purposes and for the prevention of commercial dealings in human organs", the words "human organs and tissues for therapeutic purposes and for the prevention of commercial dealings in human organs and tissues" shall be substituted.

3. Amendment of section 1.- In section 1 of the principal Act, in sub-section (1), for the words "Human Organs", the words "Human Organs and Tissues" shall be substituted.

4. Substitution of references to certain expressions by certain other expressions.- Throughout the principal Act [except clause (h) of section 2, sub-section (5) of section 9, sub-section (1) of section 18 and section 19], unless otherwise expressly provided, for the words "human organ" and "human organs", wherever they occur, the words "human organ or tissue or both" and "human organs or tissues or both" shall respectively be substituted with such consequential amendments as the rules of grammar may require.

5. Amendment of section 2.- In section 2 of the principal Act,-

(a) after clause (h), the following clauses shall be inserted, namely:-

'(ha) "Human Organ Retrieval Centre" means a hospital,-

(i) which has adequate facilities for treating seriously ill patients who can be potential donors of organs in the event of death; and

(ii) which is registered under sub-section (1) of section 14 for retrieval of human organs;

(hb) "minor" means a person who has not completed the age of eighteen years;';

(b) for clause (i), the following clause shall be substituted, namely:-

'(i) "near relative" means spouse, son, daughter, father, mother, brother, sister, grandfather, grandmother, grandson or granddaughter;';

(c) in clause (o), the word "and" shall be omitted;

(d) after clause (o), the following clauses shall be inserted, namely:-

'(oa) "tissue" means a group of cells, except blood, performing a particular function in the human body;

(ob) "Tissue Bank" means a facility registered under section 14A for carrying out any activity relating to the recovery, screening, testing, processing, storage and distribution of tissues, but does not include a Blood Bank;';

(e) after clause (p), the following clause shall be inserted, namely:-

'(q) "transplant co-ordinator" means a person appointed by the hospital for co-ordinating all matters relating to removal or transplantation of human organs or tissues or both and for assisting the authority for removal of human organs in accordance with the provisions of section 3.'.

6. Amendment of section 3.- In section 3 of the principal Act,-

(a) after sub-section (1), the following sub-sections shall be inserted, namely:-

'(1A) For the purpose of removal, storage or transplantation of such human organs or tissues or both, as may be prescribed, it shall be the duty of the registered medical practitioner working in a hospital, in consultation with transplant co-ordinator, if such transplant co-ordinator is available,-

(i) to ascertain from the person admitted to the Intensive Care Unit or from his near relative that such person had authorised at any time before his death the removal of any human organ or tissue or both of his body under sub-section (2), then the hospital shall proceed to obtain the documentation for such authorisation in such manner as may be prescribed;

(ii) where no such authority as referred to in sub-section (2) was made by such person, to make aware in such manner as may be prescribed to that person or near relative for option to authorise or decline for donation of human organs or tissues or both;

(iii) to require the hospital to inform in writing to the Human Organ Retrieval Centre for removal, storage or transplantation of human organs or tissues or both, of the donor identified in clauses (i) and (ii) in such manner as may be prescribed.

(1B) The duties mentioned under clauses (i) to (iii) of sub-section (1A) from such date, as may be prescribed, shall also apply in the case of registered medical practitioner working in an Intensive Care Unit in a hospital which is not registered under this Act for the purpose of removal, storage or transplantation of human organs or tissues or both.";

(b) in sub-section (4), the following proviso shall be inserted, namely:-

"Provided that a technician possessing such qualifications and experience, as may be prescribed, may enucleate a cornea.";

(c) in sub-section (6), in clause (iii),-

(i) the word "and" shall be omitted; and

(ii) the following proviso shall be inserted, namely:-

"Provided that where a neurologist or a neurosurgeon is not available, the registered medical practitioner may nominate an independent registered medical practitioner, being a surgeon or a physician and an anaesthetist or intensivist subject to the condition that they are not members of the transplantation team for the concerned recipient and to such conditions as may be prescribed;".

7. Amendment of section 9.- In section 9 of the principal Act,-

(a) after sub-section (1), the following sub-sections shall be inserted, namely:-

'(1A) Where the donor or the recepient being near relative is a foreign national, prior approval of the Authorisation Committee shall be required before removing or transplanting human organ or tissue or both:

Provided that the Authorisation Committee shall not approve such removal or transplantation if the recipient is a foreign national and the donor is an Indian national unless they are near relatives.

(1B) No human organs or tissues or both shall be removed from the body of a minor before his death for the purpose of transplanation except in the manner as may be prescribed.

(1C) No human organs or tissues or both shall be removed from the body of a mentally challenged person before his death for the purpose of transplantation.

Explanation.- For the purpose of this sub-section,-

(i) the expression "mentally challenged person" includes a person with mental illness or mental retardation, as the case may be;

(ii) the expression "mental illness" includes dementia, schizophrenia and such other mental condition that makes a person intellectually disabled;

(iii) the expression "mental retardation" shall have the same meaning as assigned to it in clause (r) of section 2 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996).';

(b) after sub-section (3), the following sub-section shall be inserted, namely:-

"(3A) Notwithstanding anything contained in sub-section (3), where-

(a) any donor has agreed to make a donation of his human organ or tissue or both before his death to a recipient, who is his near relative, but such donor is not compatible biologically as a donor for the recipient; and

(b) the second donor has agreed to make a donation of his human organ or tissue or both before his death to such recipient, who is his near relative, but such donor is not compatible biologically as a donor for such recipient; then

(c) the first donor who is compatible biologically as a donor for the second recipient and the second donor is compatible biologically as a donor of a human organ or tissue or both for the first recipient and both donors and both recipients in the aforesaid group of donor and recipient have entered into a single agreement to donate and receive such human organ or tissue or both according to such biological compatibility in the group,

the removal and transplantation of the human organ or tissue or both, as per the agreement referred to above, shall not be done without prior approval of the Authorisation Committee.";

(c) for sub-section (4), the following sub-section shall be substituted, namely:-

"(4) (a) The composition of the Authorisation Committees shall be such as may be prescribed by the Central Government from time to time.

(b) The State Government and the Union territories shall constitute, by notification, one or more Authorisation Committees consisting of such members as may be nominated by the State Governments and the Union territories on such terms and conditions as may be specified in the notification for the purposes of this section.",

8. Amendment of section 10.- In section 10 of the principal Act, in sub-section (1),-

(a) in clause (b), the word "and" occurring at the end shall be omitted;

(b) in clause (c), the word "and" shall be inserted at the end;

(c) after clause (c), the following clause shall be inserted, namely:-

"(d) no Tissue Bank, unless registered under this Act, shall carry out any activity relating to the recovery, screening, testing, processing, storage and distribution of tissues.",

9. Amendment of section 13.- In section 13 of the principal Act, in sub-section (3),-

(a) for clause (iii), the following clause shall be substituted, namely:-

"(iii) to enforce such standards, as may be prescribed,-

(A) for hospitals engaged in the removal, storage or transplantation of any human organ;

(B) for Tissue Banks engaged in recovery, screening, testing, processing, storage and distribution of tissues;";

(b) after clause (iv), the following clause shall be inserted, namely:-

"(iva) to inspect Tissue Banks periodically;".

10. Insertion of new sections I3A, 13B, DC and I3D.- After section 13 of the principal Act, the following sections shall be inserted, namely:-

"13A. Advisory Committees to advise Appropriate Authority.- (1) The Central Government and the State Governments, as the case may be, by notification, shall constitute an Advisory Committee for a period of two years to aid and advise the Appropriate Authority to discharge its functions.

(2) The Advisory Committee shall consist of-

(a) one administrative expert not below the rank of Secretary to the State Government, to be nominated as Chairperson of the Advisory Committee;

(b) two medical experts having such qualifications as may be prescribed;

(c) one officer not below the rank of a Joint Director to represent the Ministry or Department of Health and Family Welfare, to be designated as Member-Secretary;

(d) two eminent social workers of high social standing and integrity, one of whom shall be from amongst representatives of women's organisation;

(e) one legal expert who has held the position of an Additional District Judge or equivalent;

(f) one person to represent Non-Governmental organisations or associations which are working in the field of organ or tissue donations or human rights;

(g) one specialist in the field of human organ transplantation, provided he is not a member of the transplatation team.

(3) The terms and conditions for appointment to the Advisory Committee shall be such as may be prescribed by the Central Government.

13B. Powers of Appropriate Authority.- The Appropriate Authority shall for the purposes of this Act (5 of 1908) have all the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 and, in particular, in respect of the following matters, namely:-

(a) summoning of any person who is in possession of any information relating to violation of the provisions of this Act or the rules made there under;

(b) discovery and production of any document or material object;

(c) issuing search warrant for any place suspected to be indulging in unauthorised removal, procurement or transplantation of human organs or tissues or both; and

(d) any other matter which may be prescribed.

13C. National Human Organs and Tissues Removal and Storage Network.- The Central Government may, by notification, establish a National Human Organs and Tissues Removal and Storage Network at one or more places and Regional Network in such manner and to perform such functions, as may be prescribed.

13D. National registry.- The Central Government shall maintain a national registry of the donors and recipients of human organs and tissues and such registry shall have such information as may be prescribed to an ongoing evaluation of the scientific and clinical status of human organs and tissues.".

11. Amendment of section 14.- In section 14 of the principal Act,-

(a) in sub-section (1), for the words "No hospital", the words "No hospital (including Human Organ Retrieval Centre)" shall be substituted;

(b) after sub-section (3), the following sub-section shall be inserted, namely:-

"(4) No hospital shall be registered under this Act, unless the Appropriate Authority is satisfied that such hospital has appointed a transplant co-ordinator having such qualifications and experience as may be prescribed.".

12. Insertion of new section 14A.- After section 14 of the principal Act, the following section shall be inserted, namely:

"14A. Registration of Tissue Bank.- (1) No Tissue Bank shall, after the commencement of the Transplantation of Human Organs (Amendment) Act, 2011, commence any activity relating to the recovery, screening, testing, processing, storage and distribution of tissues unless it is duly registered under this Act:

Provided that any facility engaged, either partly or exclusively, in any activity relating to the recovery, screening,testing, processing, storage and distribution of tissues immediately before the commencement of the Transplantationof Human Organs (Amendment) Act, 2011, shall apply for registration as Tissue Bank within sixty days from the date of such commencement.

Provided further that such facility shall cease to engage in any such activity on the expiry of three months from thedate of commencement of the Transplantation of Human Organs (Amendment) Act, 2011, unless such Tissue Bankapplied for registration and is so registered, or till such application is disposed of, whichever is earlier.

(2) Every application for registration under sub-section (1) shall be made to the Appropriate Authority in such form and in such manner and shall be accompanied by such fees as may be prescribed.

(3) No Tissue Bank shall be registered under this Act unless the Appropriate authority is satisfied that such Tissue Bank is in a position to provide such specialised services and facilities, possess such skilled manpower and equipments and maintain such standards as may be prescribed.".

13. Amendment of section 15.- In section 15 of the principal Act, in sub-section (1), for the words "grant to the Hospital", the words "grant to the hospital or to the Tissue Bank, as the case may be," shall be inserted.

14. Amendment of section 16.- In section 16 of the principal Act, for the word "hospital", wherever it occurs, the words "hospital or Tissue Bank, as the case may be," shall be substituted.

15. Amendment of section 17.- In section 17 of the principal Act, after the words, brackets and figure "under sub-section (6) of section 9, or any hospital", the words "or Tissue Bank, as the case may be," shall be inserted.

16. Amendment of section 18.- In section 18 of the principal Act,-

(a) in sub-section (1), for the words "five years and with fine which may extend to ten thousand rupees", the words "ten years and with fine which may extend to twenty lakh rupees" shall be substituted;

(b) in sub-section (2), for the words "two years", the words "three years" shall be substituted.

(c) after sub-section (2), the following sub-section shall be inserted, namely:-

"(3) Any person who renders his services to or at any hospital and who conducts, or associates with or helps in any manner in the removal of human tissues without authority shall he punishable with imprisonment for a term which may extend to three years and with fine which may extend to five lakh rupees.".

17. Amendment of section 19.- In section 19 of the principal Act,-

(a) after clause (f), the following clause shall be inserted, namely:-

"(g) abets in the preparation or submission of false documents including giving false affidavits to establish that the donor is making the donation of the human organs, as a near relative or by reason of affection or attachment towards the recipient.";

(b) for the words "two years but which may extend to seven years and shall be liable to fine which shall not be less than ten thousand rupees but may extend to twenty thousand rupees", the words "five years but which may extend to ten years and shall be liable to fine which shall not be less than twenty lakh rupees but may extend to one crore rupees" shall be substituted;

(c) the proviso shall be omitted.

18. Insertion of new section 19A.- After section 19 of the principal Act, the following section shall be inserted, namely:

"19A. Punishment for illegal dealings in human tissues.- Whoever-

(a) makes or receives any payment for the supply of, or for an offer to supply, any human tissue; or

(b) seeks to find person willing to supply for payment and human tissue; or

(c) offers to supply any human tissue for payment; or

(d) initiates or negotiates any arrangement involving the making of any payment for the supply of, or for an offer to supply, any human tissue; or

(e) takes part in the management or control ofa body of persons, whether a society, firm or company, whose activities consist of or include the initiation or negotiation of any arrangement referred to in clause (d); or

(f) publishes or distributes or causes to be published or distributed any advertisement- \

(i) inviting persons to supply for payment of any human tissue; or

(ii) offering to supply any human tissue for payment; or

(iii) indicating that the advertiser is willing to initiate or negotiate any arrangement referred to in clause (d); or

(g) abets in the preparation or submission of false documents including giving false affidavits to establish that the donor is making the donation of the human tissues as a near relative or by reason of affection or attachment towards the recipient,

shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to three years and shall be liable to fine which shall not be less than five lakh rupees but which may extend to twenty-five lakh rupees."

19. Amendment of section 20.- In section 20 of the principal Act, for the words "three years or with fine which may extend to five thousand rupees", the words "five years or with fine which may extend to twenty lakh rupees" shall be substituted.

20. Amendment of section 24.- In section 24 ofthe principal Act, in sub-section (2),--

(a) after clause (a), the following clauses shall be inserted, namely:-

"(aa) the human organs or tissues or both in respect of which duty is cast on registered medical-practitioner, the manner of obtaining documentation for authorisation under clause (i) of sub-section (1A) of section 3;

(ab) the manner of making the donor or his relative aware under clause (ii) of sub-section (1A) of section 3;

(ac) the manner of informing the Human Organ Retrieval Centre under clause (iii) of sub-section (1A) of section 3;

(ad) the date from which duties mentioned in sub-section (1A) are applicable to registered medical practitioner working in a unregistered hospital under sub-section (1B) of section 3;

(ae) the qualifications and experience of a technician under the proviso to sub-section (4) of section 3;";

(b) after clause (b), the following clause shall be inserted, namely:-

"(ba) the conditions for nomination of a sargeon or a physician and an anaesthetist or intensivist to be included in the Board of medical experts under the proviso to clause (iii) of sub-section (6) of section 3;";

(c) after clause (e), the following clauses shall be inserted, namely:-

"(ea) the manner of removal of human organs or tissues or both from the body of a minor before his death for transplantation under sub-section (1B) of section 9;

(eb) the composition of the Authorisation Committees under sub-section (4) of section 9;";

(d) after clause (i), the following clauses shall be inserted, namely:-

"(ia) the qualifications of medical experts and the terms and conditions for appointment to Advisory Committee under sub-sections (2) and (3) of section 13A;

(ib) the power of the Appropriate Authority in any other matter under clause (d) of section 13B;

(ic) the manner of establishment of a National Human Organs and Tissues Removal and Storage Network and Regional Network and functions to be performed by them under section 13C;

(id) the information in the national registry of the donors and recipients of human organs and tissues and all information under section 13D;";

(e) after clause (k), the following clauses shall be inserted, namely:-

"(ka) the qualifications and experience of a transplant co-ordinator under sub-section (4) of section 14;

(kb) the form and the manner in which an application for registration shall be made, and the fee which shall be accompanied, under sub-section (2) of section 14A;

(kc) the specialised services and the facilities to be provided, skilled manpower and the equipments to be possessed and the standards to be maintained by a Tissue Bank, under sub-section (3) of section 14A;";

(f) in clause (l), for the word "hospital", the words "hospital or Tissue Bank" shall be substituted.

V.K. BHASIN,
Secy. to the Govt. of India

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ರಿಚಾರ್ಡ್ ಲೋಬೊ,
ಜಂಟಿ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಜಂಟಿ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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